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11 **BIKRAM'S YOGA COLLEGE OF INDIA, L.P.**

12 and **BIKRAM CHOUDHURY**

**DENIED**

1-24-13- ODW

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

15 **BIKRAM'S YOGA COLLEGE OF**  
16 **INDIA, L.P., a California limited**  
17 **partnership; and BIKRAM**  
18 **CHOUDHURY, an individual,**

19 **Plaintiffs,**

20 **vs.**

21 **EVOLUTION YOGA, LLC, a New**  
22 **York limited liability company; MARK**  
23 **DROST, an individual; ZEFEA**  
24 **SAMSON, an individual; and DOES 1**  
25 **through 10, inclusive,**

26 **Defendants.**

27 **AND RELATED COUNTERCLAIM**

Case No. CV11-05506-ODW(SSx)

The Honorable Otis D. Wright, II,  
Courtroom No. 11

*Denying*  
**[PROPOSED] ORDER CERTIFYING**  
**DECEMBER 14, 2012, ORDER FOR**  
**INTERLOCUTORY APPEAL AND**  
**STAYING PROCEEDINGS [63]**

**[28 U.S.C. § 1292(b)]**

Hearing Date

Date: February 25, 2013

Time: 1:30 p.m.

Courtroom: 11

Complaint Filed: July 1, 2011

Trial Date: January 29, 2013

**[PROPOSED] ORDER CERTIFYING DECEMBER 14, 2012, ORDER FOR INTERLOCUTORY**  
**APPEAL AND STAYING PROCEEDINGS**

1 The Court, having considered Plaintiffs BIKRAM'S YOGA COLLEGE OF  
2 INDIA and BIKRAM CHOUDHURY'S Motion for Certification of Order for  
3 Interlocutory Appeal and for Stay of Proceedings and supporting and opposing  
4 papers thereto, which came on for a hearing before this Court on February 25, 2013,  
5 hereby finds that the Court's Order Granting Defendants' Motion for Partial  
6 Summary Judgment of December 14, 2012, (Dkt. No. 38), involves a controlling  
7 question of law on which there is a substantial ground for difference of opinion, and  
8 that an immediate appeal from the Order may materially affect the outcome and  
9 advance the ultimate termination of this litigation.

10 Therefore, Plaintiffs' Motion is GRANTED and the matter is certified for  
11 appeal pursuant to 28 U.S.C. § 1292(b). Additionally, the litigation is stayed  
12 pending a subsequent appeal by Plaintiffs to the Ninth Circuit Court of Appeals and  
13 pending determination of Plaintiffs' pending 28 U.S.C. § 1292(a)(1) appeal.

14 IT IS SO ORDERED.

15  
16 Dated: 1 | 24, 2013

**DENIED**

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The Honorable Otis D. Wright II  
United States District Judge